

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:11-CR-00067-F-1

No. 7:14-CV-00112-F

CHARLES RONALD LOCKLEAR, JR.,)
 Petitioner,)
)
 v.)
)
UNITED STATES OF AMERICA,)
 Respondent.)

ORDER

This matter is before the court on Charles Ronald Locklear, Jr.'s Motion for Status Report of Hearing [DE-104]. In his motion, Locklear requests a status report or a hearing on his motion filed pursuant to 28 U.S.C. § 2255. Locklear's motion is ALLOWED to the extent that the court will provide him with an update on the status of his pending section 2255 motion.

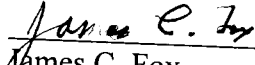
A review of the record reveals that Locklear filed his Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-94, DE-98]¹ on May 28, 2014. On July 14, 2014, the Government filed a Motion to Dismiss [DE-100], pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Locklear responded by filing a Reply [DE-103].

Locklear is advised that this court has a heavy docket of pending section 2255 motions and attempts to make every effort to get these motions ruled on as quickly as possible. Locklear is further advised that if this court determines that an evidentiary hearing is necessary to address his section 2255 motion, it will be scheduled and counsel will be appointed to assist him.

SO ORDERED.

¹Locklear's initial attempt to initiate a claim for relief under 28 U.S.C. § 2255 was a non-conforming document [DE-94], which was filed on May 28, 2014. At the court's direction, Locklear filed a "conforming" motion [DE-98] on June 23, 2014.

This the 23rd day of December, 2014.



James C. Fox
Senior United States District Judge